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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/485,571
Filing Date	June 9, 2000
First Named Inventor	Bernard Calas
Group Art Unit	1653
Examiner Name	Chih Min Kam
Attorney Docket Number	19904-009 BREESE-9

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

### a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered). A courtesy copy is enclosed herewith
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ A verified statement claiming small entity status is on file in the prior application and such status is still proper and desired (37 C.F.R. § 1.28(a)).

### b. ☒ Enclosed

- i. ☒ Response to Office Action mailed September 24, 2002 (11 pages)
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Petition for Three Month Extension of Time (1 page, in duplicate)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Commissioner is authorized to charge any fees due, or credit any overpayments, to Deposit Account No. 50-0311, Reference No. 19904-009.
  - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
  - ii. ☐ Extension of time fee for \_\_\_\_\_ (37 C.F.R. §§ 1.136 and 1.17).
- b. ☒ Check in the amount of **\$375.00** is enclosed for RCE fee.
- ☒ Check in the amount of **\$465.00** is enclosed for Extension of time fee.



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PATENT TRADEMARK OFFICE

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Barry J. Marenberg	Registration No. (Attorney/Agent)	40,715
Signature		Date	March 21, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner of Patents, Box RCE, Washington, DC 20231.

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